

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
19460

In Re Application Of: Christopher Milton Mathew Franco, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/563,637	January 6, 2006	Unassigned	23389	Unassigned	4137

Title:

**A METHOD AND AGENTS FOR IMPROVING PLANT PRODUCTIVITY INVOLVING  
ENDOPHYTIC ACTINOMYCETES AND METABOLITES THEREOF**

Address to:  
**Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2.  The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

- the statement specified in 37 CFR 1.97(e);

**OR**

- the fee set forth in 37 CFR 1.17(p).

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
  - Charge the amount of \_\_\_\_\_
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June 16, 2006

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Signature of Person Mailing Correspondence

Xiaochun Zhu

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Dated: June 16, 2006

Xiaochun Zhu

Registration No. 56,311

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CC:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Confirmation No:** 4137

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

# **INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Sardi P. et al., "Isolation of Endophytic *Streptomyces* Strains from Surface-Sterilized Roots", *Applied and Environmental Microbiology*, 58(8):2691-2693 (1992);
  2. Salleh A., "News in Science-Antibiotics for Wheat", <http://www.abc.net.au/science/news/stories/s351442.htm> (2001);
  3. El-Shanshoury A.R., "Growth Promotion of Wheat Seedlings by *Streptomyces Atroolivaceus*", *J. Agronomy & Crop Science*, 163:109-114 (1989);

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 16, 2006

Xiaochun Zhu

4. Coombs J.T. et al., "Isolation and Identification of Actinobacteria from Surface-Sterilized Wheat Roots", *Applied and Environmental Microbiology*, 69(9):5603-5608 (2003); and
5. Coombs J.T. et al., "Visualization of an Endophytic *Streptomyces* Species in Wheat Seed", *Applied and Environmental Microbiology*, 59(7):4260-4262 (2003).

The references were cited in a Search Report dated September 30, 2004 received from the Australian Patent Office. Applicants are submitting a copy of the above-cited references. A copy of the Search Report was submitted by Applicants on January 6, 2006. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



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